

Prob 12D  
(6/05)

# UNITED STATES DISTRICT COURT

for

The District of New Jersey

## Request for Summons and Modification of the Conditions or Term of Supervision

Name of Offender: John Fraser Williams Case Number: 0312 3: 05CR00547  
PACTS Number: 038346

Name of Sentencing Judicial Officer: The Honorable Stanley R. Chesler

Date of Original Sentence: December 20, 2005

Original Offense: Possession of Child Pornography

Original Sentence: 37 months in custody; 2 years supervised release.

Type of Supervision: Supervised Release Date Supervision Commenced: October 3, 2008

### PETITIONING THE COURT

The offender, not having waived a hearing, the probation officer requests that a summons be issued and hearing held to modify the conditions of supervision as follows:

The defendant is to be confined to his residence for a period of 2 months commencing at the direction of the U.S. Probation Office. The defendant shall be required to be at this residence at all times except for approved absences for gainful employment, community service, religious services, medical care, educational or training programs and at other such times as may be specifically authorized by the U.S. Probation Office. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures. The defendant shall permit the probation officer access to the residence at all times and maintain a telephone at the residence without any custom services or portable, cordless equipment. The defendant shall comply with any other specific conditions of home confinement as the probation officer requires. The defendant shall pay the costs of electronic monitoring, specifically \$3.18 per day.

**CAUSE**

The probation officer believes that the action requested above is necessary for the following reasons:

The offender has been supervised in the Eastern District of New York since his release from custody. He had three incidents in February, 2010, where he has purchased and viewed adult pornography magazines. He was issued a letter of reprimand for this behavior. During a polygraph examination on February 25, 2010 the offender admitted to purchasing an adult pornography in December 2009. He then used an unauthorized computer at his girlfriend's residence, scanned the pornographic images onto her computer and masturbated to the same. The offender has been reminded that he is only permitted to use a monitored computer and has been directed to notify the supervising officer when he visits his girlfriend.

As a sanction for this conduct which violates his conditions of supervision the offender agreed to 60 days of home confinement. He signed the attached waiver.

The supervising officer's position is that the 60 days of home confinement will serve as a punitive sanction for his non-compliance, as well as a corrective strategy by restricting the offender from frequent places where pornography is sold and provides the probation office with the ability to more closely monitor his activities.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: \_\_\_\_\_

\_\_\_\_\_  
U.S. Probation Officer

**THE COURT ORDERS:**

☐ No action.

☒ The issuance of a summons.

☐ Other: \_\_\_\_\_

\_\_\_\_\_  
Signature of Judicial Officer

4/28/2010  
Date

PROB 49  
(NYEP-10/28/05)

**United States District Court**  
**DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and the assistance of counsel before any unfavorable change(s) may be made in my conditions of Probation and/or Supervised Release or before my period of supervision can be extended. By assistance of counsel, " I understand that I have the right to be represented at a hearing by counsel of my choosing if I am able to retain counsel. I also understand that I have the right to request that the Court appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel. "

I hereby voluntarily waive my statutory right to a hearing and to the assistance of counsel. I also hereby agree to the following modification (s) of my conditions of Probation and/or Supervised Release or to the proposed extension of my term of supervision:

*For a period of 60 days, the defendant shall remain in his or her home of record. The defendant is only authorized to leave for employment or other necessary activities with the approval, in advance, of the Probation Department. The home confinement period shall commence on a date approved by the Probation Department. While serving the period of home confinement, the defendant shall wear an electronic monitoring bracelet or similar tracking device and follow all requirements and procedures established for Home Confinement by the Probation Department and the Administrative Office of U.S. Courts. In addition, the defendant shall pay the costs of home confinement, including the price of electronic monitoring equipment, to the degree he or she is reasonably able. The defendant shall disclose all financial information and documents to the Probation Department to assess his or her ability to pay.*

Witness:

  
U.S. Probation Officer

Signed:

  
Probationer or Supervised Releasee

3/8/2010  
Date